

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF ARKANSAS  
FAYETTEVILLE DIVISION

RIGOBERTO NAVARRO

PLAINTIFF

v.

Civil No. 5:17-cv-05173

JASON ZEMER, Southern Health  
Partners, Inc.; and HEATHER TIMMER,  
Southern Health Partners, Inc.

DEFENDANTS

**OPINION AND ORDER**

Plaintiff filed this civil rights pursuant to 42 U.S.C. §1983. He proceeds *pro se* and *in forma pauperis*.

On April 18, 2018, Defendants filed a Motion for Summary Judgment (ECF No. 16). On that same day, an Order (ECF No. 19) was entered directing the Plaintiff to file a response to the Summary Judgment Motion by May 9, 2018. Plaintiff was advised that failure to file the response would subject the case to summary dismissal. To date, Plaintiff has not filed a response. The Order (ECF No. 19) has not been returned as undeliverable. Plaintiff has not sought an extension of time to file his response.

Therefore, this case is **DISMISSED WITHOUT PREJUDICE** based on the Plaintiff's failure to obey an Order of the Court and his failure to prosecute this case. Fed. R. Civ. P. 41(b).

IT IS SO ORDERED on this 25th day of May 2018.

P. K. Holmes, III

P. K. HOLMES, III  
CHIEF U.S. DISTRICT JUDGE